GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWDept., - LTR - Revision Petition filed under the provisions of A.P.S.A.L.T.R.,1959 by Desala Mahalakshmi (Died), Sri Desala Srinivasarao (not known), Sri Desala Chittibabu S/o.Apparao, Sri Desala Sivannarana S/o.Apparao & Sri Desala Nagarjuna S/o.Apparao R/o.Gadelapalem (V), Devipatnam (M), against the orders of the Additional Agent to Government, Rampachodavaram in C.M.A.No.16 of 2018, dt.18.07.2018 for the land measuring Hec.2.00 Ares in Sy.No.446/1 situated at Indukurupeta village of Devipatnam Mandal, East Godavari District - Allowed - Orders - Issued.

SOCIAL WELFARE (TW.LTR) DEPARTMENT

G.O.MS.No. 50 **Dated: 15-02-2019**
Read the following:-

1. Revision Petition filed Desala Mahalakshmi (Died), Sri Desala Srinivasarao (not known), Sri Desala Chittibabu S/o.Apparao, Sri Desala Sivannarana S/o.Apparao & Sri Desala Nagarjuna S/o.Apparao Gadelapalem(V), Devipatnam(M), East Godavari District Dt: 27.07.2018.
2. Govt. Lr. No.1878/LTR-2/2005, Dt.11.09.2018.

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ORDER:

In the reference 1st read above, Smt Desala Mahalakshmi (Died), Sri Desala Srinivasarao (not known), Sri Desala Chitti babu S/o.Apparao, Sri Desala Sivannarana S/o.Apparao & Sri Desala Nagarjuna S/o.Apparao R/o.Gadelapalem (V), Devipa tnam (M), East Godavari District has filed a Revision Petition before the Government against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.16 of 2018, dt.18.07.2018 for the land measuring Hec.2.00 Ares in Sy.No.446/1 situated at Indukurupeta village of Devipatnam Mandal, East Godavari District

2. In the reference 2nd read above the petitioners were called for the hearing along with the written arguments and record. The case has heard on 06.10.2018. During the course of hearing of the case that the revision petitioners submitted their arguments as per their grounds in revision petition and also filed written arguments.

3. On verification of the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on record along with written arguments that the contention of petitioner is that his occupation is valid under the law and there is no prohibitory transfer of the land has been involved. The SDC(TW) holding that the possession and enjoyment of land which is as classified unoccupied dry "Banjar" owned by Government by a non-tribe is not valid and violations of provisions of regulations and ordered ejecting of non tribal and the same was confirmed by the Addl. Agent to Government in the appeal.

4. The contention of the revision petitioners is that there is no violations of the transactions and they are rightful owners in view of the order of settlement officer in case number 30/18/1977, dated 26-06-1996 they are in continuous possession enjoyment of the same even as per the revenue records.

5. That considering the above material that in the considered opinion the orders of the lower authorities cannot be sustained as there is no violation in view of the order of the settlement officer and continuous possession and enjoyment of the land even as seen from the cist receipts and pattadar pass books, other revenue record and there is no tribal interest involved.

6. In the result the revision petition is allowed by setting aside the orders of the primary authority and appellant authority and the matter is decided in favor of petitioners.

(P.T.O)

7. The Collector & District Magistrate, East Godavari District/the Project Officer, ITDA, Rampachodavaram is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.P.SISODIA
PRINCIPAL SECRETARY TO GOVERNMENT (TW)

To
The Collector & District Magistrate, East Godavari District, Kakinada.
The Additional Agent to Government & Project Officer, I.T.D.A, Rampachodavaram, East Godavari District (w.e)
The Special Deputy Collector, Rampachodavaram, East Godavari District.
The Special Deputy Tahsildar (T.W), Devipatnam Mandal, East Godavari District.
Sri Marre Babji, Advocate,D.No.55-8/2-4/1,Subramanyam Nagar, Near C.T.R.I, Rajahmundry, East Godavari District.
Smt.Desala Mahalakshmi (Died),
Sri Desala Srinivasarao (not known),
Sri Desala Chittibabu S/o.Apparao,
Sri Desala Sivannarana S/o.Apparao &
Sri Desala Nagarjuna S/o.Apparao,
(All are R/o.Gadelapalem (V), Devipatnam (M), East Godavari District)
Copy to:
The P.S. to Hon'ble Minister (TWE)
The P.S. to Prl.Secy (TW)
Sf/Sc

//FORWARDED:: BY ORDER //

SECTION OFFICER